

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

TAUNNA FLETCHER, et al.,

Plaintiffs,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, et al.,

Defendants.

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Case No. 3:11cv083

JUDGE WALTER HERBERT RICE

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. #22) IN THEIR
ENTIRETY, WITH ONE EXCEPTION; PLAINTIFFS' OBJECTIONS TO
SAID JUDICIAL FILING (DOC. #23) OVERRULED; DEFENDANTS'
MOTION TO DISMISS PLAINTIFFS' COMPLAINT (DOC. #18)
GRANTED; JUDGMENT TO ENTER IN FAVOR OF DEFENDANTS AND
AGAINST PLAINTIFFS, DISMISSING PLAINTIFFS' COMPLAINT FOR
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED,
PURSUANT TO FED. R. CIV. P. 12(b)(6); TERMINATION ENTRY

Based upon the reasoning and citations of authority set forth by the United States Magistrate Judge, in her Report and Recommendations filed October 4, 2011 (Doc. #22), with one exception, as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court adopts said Report and Recommendations in their entirety. Plaintiffs' Objections to said judicial filing (Doc. #23) are overruled. The Defendants' Motion to Dismiss Plaintiffs' Complaint

(Doc. #18) is granted. Judgment will be ordered entered in favor of the Defendants and against Plaintiffs herein, dismissing Plaintiffs' Complaint, pursuant to Fed. R. Civ. P. 12(b)(6).

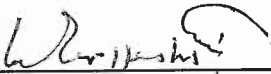
In ruling as aforesaid, this Court makes the following, non-exclusive, observations:

1. The one exception to this Court's adoption of the Magistrate Judge's Report and Recommendations is directed to the affect of the Plaintiffs' failure to respond to Defendants' Motion to Dismiss. R & R at 7. While the Magistrate Judge is correct, insofar as the Plaintiffs' failure to respond to Defendants' Motion is concerned, this Court wishes to make it clear that its adoption of the Magistrate Judge's Report and Recommendations was not based, in any respect, on the Plaintiffs' default. Rather, this Court conducted a thorough *de novo* review of this Court's file and the applicable law.
2. This Court agrees with the Magistrate Judge's thorough analysis of the *Rooker-Feldman* Doctrine, as applied to the allegations of the Plaintiffs' Complaint. R & R at 3-6.
3. The Court adopts, in its entirety, the Magistrate Judge's conclusion that the doctrine of preclusion prevents the Court from providing Plaintiffs the relief sought. R & R at 6. The Plaintiffs' prayer for relief is brief, to wit: "I want the Court to stop all impending action against

my home. I want the Court to vacate all actions the Defendant prevailed using false affidavits." In essence, the Plaintiffs seek not damages but rather wish this Court to vacate all actions of and the decisions and judgment entry entered by the state court. As a Court of original jurisdiction, this lower level federal trial court lacks the authority to vacate a state court judgment.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

October 28, 2011



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Taunna Fletcher, *Pro Se*
Nelson M. Reid, Esq.
Magistrate Judge Sharon L. Ovington